

## REMARKS

### **I. Introduction**

Claims 10, 11, 13 to 15, 17 to 19, 21 to 23, and 25 to 29 are pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

### **II. Amendment of Claims 10, 13 to 15, 17 to 19, 21 to 23, and 28**

Claims 10, 13 to 15, 17 to 19, 21 to 23, and 28 have been amended herein without prejudice to address formalities. No new matter has been added.

### **III. Rejection of Claims 10, 11, 13 to 15, 17 to 19, 21 to 23, and 25 to 29 Under 35 U.S.C. § 102(b)**

Claims 10, 11, 13 to 15, 17 to 19, 21 to 23, and 25 to 29 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,971,806 ("Evans et al."). It is respectfully submitted that Evans et al. do not anticipate these claims for at least the following reasons.

As an initial matter, Applicants note that the present rejection is replete with conclusory assertions that Evans et al. discloses features of the claims without any substantive explanation and/or argument in support thereof. For example, at page 2, the Final Office Action asserts that "[r]egarding claim 13, Evans et al. discloses the clamping element has latching means with which the contact element latches together" without indicating what structure or disclosure of Evans et al. is considered to correspond to this feature of claim 13. Applicants respectfully request elaboration with regard to these conclusory assertions.

Claim 10 relates to a removable electrical plug-in connection and, as amended herein without prejudice, recites a connector and a mating connector, the mating connector including a first contact element having at least one contact area which is connectable at least in part to the connector, wherein the connector includes at least one clamping element which grips at least in part around a second contact element in its contact position, and this clamping element presses at least a part of a second contact element against the contact area for establishing the electrical plug-in connection. Claim 10 further recites that the clamping element is configured to fix the at least a part of the second contact element to the contact area.

Claim 29 relates to a removable electrical plug-in connection and recites a connector including a first contact element and a clamping element, the clamping element having an open position and a closed position; and a mating connector including a second contact element, wherein the first contact element is movable with respect to the second contact element in a contact area when the clamping element is in the open position, and the clamping element, when in the closed position, **fixes the first contact element with respect to the second contact element in the contact area by pressing the first contact element and the second contact element together.**

Regarding claim 10, the Final Office Action alleges at page 2 that Evans et al. discloses a clamping element configured to fix at least a part of a contact element to a contact area. Similarly, regarding claim 29, the Final Office Action alleges at page 3 that Evans et al. discloses a clamping element that, when in the closed position, fixes a first contact element with respect to a second contact element in the contact area by pressing the first contact element and the second contact element together. Aside from these **conclusory** statements, the only argument provided by the Final Office Action is the assertion that “[f]unctionally **similar** connection mechanism clearly shown in Evans’s fig. 1, and disclosed in column 4, lines 38 – 50.” Final Office Action at page 4 (emphasis added).

As an initial matter, Applicants note that to establish a **prima facie** case of anticipation, “[t]he **identical** invention must be shown in as complete detail as is contained in the . . . claim.” Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989)(emphasis added). Thus, **similarity** alone is insufficient to establish a **prima facie** case of anticipation.

Moreover, Applicants disagree with the Final Office Action’s assertion of similarity for at least the reason that the mechanism shown in Figure 1 of Evans et al., which uses **flexible** springs 20 and 30 to bias contact areas 25 and 35 of the flexible circuits 23 and 33 toward pads 51 of a PCB, does not disclose, or even suggest, that any portion of flexible circuits is **fixed** with respect to any portion of the PCB. Indeed Evans et al. recites that “Sufficient **floating movement** of the springs and the flexible circuits is desired to allow the desired alignment between the contact areas 25, 35 and the pads 50 of the PCB.” Col. 4, lines 64 to 67.

It is, of course, “well settled that the burden of establishing a **prima facie case** of anticipation resides with the [United States] Patent and Trademark

Office.” Ex parte Skinner, 2 U.S.P.Q.2d 1788, 1788 to 1789 (Bd. Pat. App. & Inter. 1986). To anticipate a claim, each and every element as set forth in the claim must be found in a single prior art reference. Verdegaal Bros. v. Union Oil Co. of Calif., 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). Furthermore, as indicated above, “[t]he identical invention must be shown in as complete detail as is contained in the . . . claim.” Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). That is, the prior art must describe the elements arranged as required by the claims. In re Bond, 910 F.2d 831, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). As more fully set forth above, Evans et al. does not disclose all of the features included in any of claims 10 and 29. As such, it is respectfully submitted that Evans et al. does not anticipate any of claims 10 and 29.

Claims 11, 13 to 15, 17 to 19, 21 to 23, and 25 to 28 ultimately depend from claim 10 and therefore include all of the features recited in claim 10. Accordingly, it is respectfully submitted that Evans et al. does not anticipate these dependent claims for at least the reasons set forth above in support of the patentability of claim 10.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

#### **IV. Conclusion**

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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